IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.19 OF 2006
IN
SUIT NO.3541 OF 2005

Naresh Sampatraj Jain ..Plaintiff

Vs.

Vinodkumar Sampatraj Jain ..Defendant

Mr.S.K.Jain for the plaintiff

Mr.Shailesh Shah i/b Thakordas & Madgaonkar for the defendant

CORAM : S.U.KAMDAR, J
DATED : 16TH JANUARY, 2006

P.C.:

1. By consent of the parties, following order is passed:

2. There shall be an order and injunction restraining the defendant from in any way alienating, encumbering or creating third party rights in respect of suit flat being flat no.62 on the 6th Floor, Block No.9, situated in The Shyam Co-op.Hsg.Soc.Ltd., at Bhulabhai Desai Road, Mumbai 36. Defendants shall pay regular outgoings of the society and other expenses including repair charges

if any.

3. Mr. S.M.Jhunjhunwala is appointed as Arbitrator to resolve the differences and disputes arising in present suit and/or written statement or counter claim which may be filed by the defendant. Arbitrator to proceed and dispose of arbitration proceedings in accordance with the Arbitration and Conciliation Act, 1996. Interim order of injunction shall continue till the award is passed by the Arbitrator. Suit is disposed of accordingly. Refund of court fee as per rules. No order as to costs.